

MINUTES OF BENTON COUNTY QUORUM COURT

June 25, 2015

A regular meeting of the Benton County Quorum Court was held on Thursday, June 25, 2015 at 6:00 p.m. at the Benton County Administration Building, 215 East Central Avenue, Bentonville, Arkansas, pursuant to proper call and notice.

County Judge Bob Clinard called the meeting to order.

County Clerk Tena O'Brien called roll as follows:

12 JPs Present: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin, Anglin,
Chiocco, Leadabrand, Meyers, Moehring
3 JPs Absent: K. Harrison, Curry, Moore

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag. Pastor Richard Burrell, Catalyst Church led the prayer.

CHANGES TO THE AGENDA

None

MINUTES:

JP Jones made motion to approve the minutes of the May 28, 2015 Quorum Court meeting as distributed, seconded by JP Sandlin. Motion carried by unanimous voice vote.

Minutes approved as distributed.

ELECTED OFFICIALS REPORTS:

None

COUNTY JUDGE'S REPORT/COUNTY PROPERTY DISPOSAL REPORT:

- Working with Crafton, Tull, & Assoc. on some preliminary site information as to the downtown Court Facility location.
- Have an agreement with AHTD on the state highway access at Herbaugh Rd. to the Bentonville West High School location in Centerton. We are continuing to discuss the Keller & Hwy 102 intersection.
- Have interviewed engineering firms for repair/renovation of War Eagle Bridge. A firm will be named very soon.
- The Old Courthouse exterior and interior renovations per the Walton Foundation Grant are in the design stage.
- Have selected Treanor Architects to work with Benton County on the County Jail expansion and long term planning. A contract will be signed by next week.
- The Benton County Jail has experienced a critical failure of a 170-ton rooftop cooling tower. The tower is functioning at 50 to 60 percent of design and we have ordered a new unit and will also replace an 80-ton unit at the same time. It is the same age (original equipment) and has also experienced problems.

Judge Clinard stated that it would be mid-July before the new unit is delivered and that this affects the cooling in two of the main housing pods.

The June Property Disposal Report was posted on the dashboard for the JPs. Judge Clinard asked if there were any questions.

COMMITTEE REPORTS:

JP Allen reported that a Finance Committee meeting was held Thursday, June 04, 2015. He stated that sales tax revenue is up 14% over last year. He reminded the court of the need for financing of the new courts facility, the pilot convenience center in 2016, and the cost for a fall clean-up.

PUBLIC COMMENTS:

None

JP J. Harrison made motion to suspend the rules and read all ordinances and resolutions by title only, seconded by JP Jones.

Roll Call vote recorded as follows:

12 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin,
Anglin, Chiocco, Leadabrand, Meyers, Moehring

3 Absent: K. Harrison, Curry, Moore

Motion passed.

OLD BUSINESS:

- (A) Second Reading of Proposed Ordinance Amending Ordinance No. O-2009-42 to Amend Section 82 of Chapter 42 of the *Code of Ordinances of Benton County, Arkansas* to Increase the Daily Fee Charged to Municipalities for Housing Prisoners in the County Jail; and for Other Purposes; Sponsor: JP Brent Meyers

County Attorney George Spence read the proposed ordinance by title only.

JP Meyers made motion to adopt, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

13 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin,
Anglin, Chiocco, Leadabrand, Moore, Meyers, Moehring

2 Absent: K. Harrison, Curry

Second reading passed.

JP Jones explained that the County Clerk’s office is preparing to send the Quorum Court Ordinances to the Municipal Code to have them codified. He explained that the codification process is required every five years and that the County Clerk would like to request that the court suspend the rules and adopt this ordinance along with the next two proposed ordinances at tonight’s meeting, so that they too can be codified and placed into the Code of Ordinance book this year.

JP Jones made motion to suspend the rules and place the proposed ordinance on third and final reading, seconded by JP Adams.

A roll call vote was recorded as follows:

11 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin,
Anglin, Leadabrand, Meyers, Moehring

1 Nay: Chiocco

3 Absent: K. Harrison, Curry, Moore

Rules suspended.

JP Meyers made motion to approve the proposed ordinance on its third and final reading, seconded by JP Jones.

A roll call vote was recorded as follows:

12 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin,
Anglin, Chiocco, Leadabrand, Meyers, Moehring
3 Absent: K. Harrison, Curry, Moore

Ordinance duly adopted on third and final reading and assigned **No. O-2015-25.**

(B) Second Reading of Proposed Ordinance Amending *Section 2-367 of the Code of Ordinances of Benton County, Arkansas* Regarding Uniform System of Perpetual Inventory; Sponsor: JP Barry Moehring

County Attorney George Spence read the proposed ordinance by title only.

JP Moehring made motion to adopt, seconded by JP Sandlin.

There being no further discussion, a roll call vote was recorded as follows:

12 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin,
Anglin, Chiocco, Leadabrand, Meyers, Moehring
3 Absent: K. Harrison, Curry, Moore

Second reading passed.

JP Jones made motion to suspend the rules and place the proposed ordinance on third and final reading, seconded by JP Adams.

A roll call vote was recorded as follows:

11 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin,
Anglin, Leadabrand, Meyers, Moehring
1 Nay: Chiocco
3 Absent: K. Harrison, Curry, Moore

Rules suspended.

JP Moehring made motion to approve the proposed ordinance on its third and final reading, seconded by JP Sandlin.

A roll call vote was recorded as follows:

12 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin,
Anglin, Chiocco, Leadabrand, Meyers, Moehring
3 Absent: K. Harrison, Curry, Moore

Ordinance duly adopted on third and final reading and assigned **No. O-2015-26.**

(C) Second Reading of Proposed Ordinance Amending *Section 2-368 of the Code of Ordinances of Benton County, Arkansas* Regarding the Exchange of Transfer of Properties, Real or Personal, with Other Counties, Municipalities, Community Colleges or Institutions of Higher Education and for the Approval by Ordinance Therefore; Sponsor: JP Kurt Moore

County Attorney George Spence read the proposed ordinance by title only.

JP Jones made motion to adopt, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

12 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin,
Anglin, Chiocco, Leadabrand, Meyers, Moehring
3 Absent: K. Harrison, Curry, Moore

Second reading passed.

JP Jones made motion to suspend the rules and place the proposed ordinance on third and final reading, seconded by JP Sandlin.

A roll call vote was recorded as follows:

11 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin,
Anglin, Leadabrand, Meyers, Moehring
1 Nay: Chiocco
3 Absent: K. Harrison, Curry, Moore

Rules suspended.

JP Jones made motion to approve the proposed ordinance on its third and final reading, seconded by JP Sandlin.

A roll call vote was recorded as follows:

12 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin,
Anglin, Chiocco, Leadabrand, Meyers, Moehring
3 Absent: K. Harrison, Curry, Moore

Ordinance duly adopted on third and final reading and assigned **No. O-2015-27.**

NEW BUSINESS:

- (A) Proposed Resolution Declaring a Vacancy in the Office of Justice of the Peace, District No. 11 for Benton County; Sponsor: Quorum Court

County Attorney George Spence read the proposed resolution by title only.

JP J. Harrison made motion to adopt, seconded by JP Jones.

There being no discussion, a roll call vote was recorded as follows:

12 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin,
Anglin, Chiocco, Leadabrand, Meyers, Moehring
3 Absent: K. Harrison, Curry, Moore

Resolution duly adopted and assigned **No. R-2015-20.**

- (B) Proposed Resolution Declaring the Intent of the Quorum Court to Establish a Pilot Program to Promote Expanded Use of the Benton County Convenience Center Beginning January 1, 2016; Sponsor: JP Kurt Moore

County Attorney George Spence read the proposed resolution by title only.

JP Jones stated that the purpose of this resolution is to help the quorum court in its preparation for the 2016 budget. JP Jones made motion to adopt, seconded by JP Sandlin.

A roll call vote was then recorded as follows:

12 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin,
Anglin, Chiocco, Leadabrand, Meyers, Moehring
3 Absent: K. Harrison, Curry, Moore

Resolution duly adopted and assigned No. **R-2015-21**.

(C) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2014-84 (2015 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Fund 4000, Capital Projects, Department 0108, Non-Departmental /Maintenance; Sponsor: JP Joel Jones

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Jones made motion to adopt, seconded by JP Anglin.

JP Jones explained that this is the appropriation for the courthouse restoration project that will be reimbursed through the Walton Family Foundation Grant.

A roll call vote was recorded as follows:

12 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin,
Anglin, Chiocco, Leadabrand, Meyers, Moehring
3 Absent: K. Harrison, Curry, Moore

Appropriation Ordinance duly adopted and assigned No. **O-2015-28**.

OTHER BUSINESS:

Discussion: Benton County Justice Center Location.

JP Allen stated that the Finance Committee had forwarded this item of discussion to the Committee of the Whole, but he is not sure why it was placed on tonight's Quorum Court agenda, or what the objective would be in discussing it since there is no ordinance or resolution to be considered.

JP Sandlin stated that it was forwarded to the Quorum Court because there was some discussion of adopting a resolution stating the preference of the downtown location.

Judge Clinard stated that at the Committee of the Whole a straw poll was taken and that downtown was the preferred location. He said at the point, he decided to engage a civil engineer to do a further study of the downtown location in order to develop a budget that would include a new structure and anything else they might have to do in association with it, such as curbs, streets, and utilities. He said he would bring that to the next meeting after he receives the information.

JP Allen stated that there is a lot to work through, but he felt that the majority of that work still should occur at the committee level and stay away from the Quorum Court. He said since there is nothing to vote on, it should remain with the Finance Committee or Committee of the Whole. He noted that the straw poll to which Judge Clinard is referring indicated that a downtown location is preferred, but an exact location was not specified.

JP Sandlin made motion that Item 13 be deleted. Motion died for lack of second.

Further discussion was held concerning the timing of an election, the construction management process, a bid package contract, and requests for qualifications for architects.

Judge Clinard stated that it is very important that they have as detailed and specific a plan in place as possible before they go to the people for a vote to finance the project.

JP Allen made motion to forward discussion of a Justice Center location to the Finance Committee, seconded by JP J. Harrison.

JP Shadlow questioned why it would not go back to the Public Safety Committee. JP Jones stated that Public Safety is finished with this matter.

A roll call vote recorded as follows:

- 11 Yeas: Easley, Shadlow, J. Harrison, Allen, Adams, Jones, Sandlin, Anglin, Chiocco, Meyers, Moehring
- 1 Nay: Leadabrand
- 3 Absent: K. Harrison, Curry, Moore

Motion to forward discussion of the new Justice Facility location to the next Finance Committee passed.

JP Allen commented that he would like to see the county engage a nationally recognized architectural firm that has extensive experience in developing justice facilities. Judge Clinard stated that all of the local firms that have expressed an interest in this project have assured him that they would be hiring someone with judicial facility experience to work with them on the project.

ANNOUNCEMENTS:

JP Jones announced that the Public Safety Committee meeting will meet July 13, 2015 at 6:00 p.m.

JP Sandlin announced that the Personnel Committee meeting will meet June 30, 2015 at 6:00 p.m.

JP Allen announced that the Finance Committee meeting will be held on July 7, 2015 at 6:00 p.m.

ADJOURNMENT:

After motion and second, meeting adjourned at 7:00 p.m.

Respectfully submitted,

Tena O’Brien
County Clerk